



SF 27 – Human Trafficking (LSB 1355 SV)
Analyst: Beth A. Lenstra (Phone 515-281-6301) (beth.lenstra@legis.state.ia.us)
Fiscal Note Version – New
Requested by Senator Kreiman

Description

Senate File 27 clarifies and expands the definition of human trafficking. The Bill permits minors that are victims of human trafficking to receive reimbursement for certain expenses from the Victim Compensation Fund. The Bill also provides guardian ad litem for child witnesses of human trafficking.

Background

Correctional and Fiscal Information

1. Iowa's human trafficking law was enacted in FY 2007. There were no convictions in FY 2007 and FY 2008. However, expanding and clarifying the definition increases the likelihood of successful prosecutions under the law.
2. Human trafficking is punished as a Class D or Class C felony, depending on the circumstances. The average State cost for one Class D felony conviction ranges from \$5,600 (court costs, indigent defense, and probation) to \$12,800 (court costs with a jury, indigent defense, prison, and parole). Costs will be incurred across multiple fiscal years while the offender is supervised in the correctional system, either in prison or the community.
3. The average State cost for one Class C felony conviction ranges from \$6,200 (court costs, probation and indigent defense) to \$18,800 (court costs with a jury, prison, parole, and indigent defense). Costs will be incurred across multiple fiscal years while the offender is supervised in the correctional system, either in prison or the community.
4. The Victim Compensation Fund is currently experiencing financial difficulties.

Minority Data Information

Iowa's prison population was 8,740 offenders on June 30, 2008. Men were 91.3% of the population. According to the Department of Corrections (DOC), the racial composition of the prison system was: 72.3% white; 25.2% black; 0.8% Asian or Pacific Islander; 1.6% American Indian or Alaska Native; and 0.1% was unknown.

Assumptions

Correctional and Fiscal Impact

1. The fiscal impact to the Victim Compensation Fund is expected to be minimal.
2. The fiscal impact to the State General Fund and counties for the expenses of providing guardian ad litem is expected to be minimal.

Minority Impact

1. Offenders sentenced to prison for human trafficking may closely resemble the June 30, 2008, prison population.

2. Approximately 14.0% of Iowa's population has at least one disability. The number of offenders convicted under this Bill who are disabled may be 14.0%.

Summary of Impacts

Correctional Impact

Expanding the definition of human trafficking may result in more convictions than current law. However, the correctional impact is expected to be minimal, because convictions are rare.

Minority Impact

The minority impact is expected to be minimal, because convictions are rare under current law.

Fiscal Impact

Senate File 27 is expected to have minimal fiscal impact to the Victim Compensation Fund and State and county General Funds.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Corrections
Office of the State Public Defender
Judicial Branch

/s/ Holly M. Lyons

January 27, 2009

The fiscal note for this bill was prepared pursuant to Joint Rule 17. The correctional and minority impact were prepared pursuant to Section 2.56, Code of Iowa. Data used to develop this fiscal note, including information for the correctional and minority impact statement, is available upon request from the Fiscal Services Division of the Legislative Services Agency.
